

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

RENE SAMUEL KENDALL, )  
                            )  
Plaintiff,               )                          No. 3:11-CV-388  
v.                         )                          (CAMPBELL/SHIRLEY)  
                            )  
SEVIER COUNTY, CITY OF PIGEON FORGE,       )  
RUSSELL PARKER, JACK BALDWIN, and             )  
GARY CAMPBELL,            )  
                            )  
Defendants.              )

**MEMORANDUM AND ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02. Now before the Court is Plaintiff's Second Motion for Additional Time to Provide Tax Returns [Doc. 64], in which Plaintiff moves the Court to modify its previous Memorandum and Order [Doc. 55] and subsequent Order [Doc. 63] to allow the Plaintiff up to and including June 19, 2013, to produce his tax returns. This motion was filed just hours after the undersigned granted an extension allowing Plaintiff an extension of time up to and including May 30, 2013, to produce the tax returns.

In the Court's previous Order, the Court stated: "This deadline will not be extended further absent a showing of extraordinary good cause." [Doc. 63 at 1]. In support of the instant request the Plaintiff asserts that the delay in producing the tax returns is, apparently, the result of the IRS not being able to provide the documents to the Plaintiff in less than three to four weeks. [Doc. 64 at 1]. While the Court is hesitant to find that such facts establish extraordinary good cause, the Court finds that the extension requested will afford opposing counsel a week to review the tax returns in advance of Plaintiff's deposition, which will take place June 26, 2013, at 9:30 a.m. The Court finds that a week is a reasonable period for reviewing these documents.

Accordingly, the Second Motion for Additional Time [[Doc. 64](#)] is **GRANTED**. The Plaintiff shall have up to and including **June 19, 2013**, to produce the tax returns to the Defendants. This deadline will not be extended. Failure to comply with this Order may result in sanctions pursuant to Rule 37 of the Federal Rules of Civil Procedure, which may include a prohibition of introducing the tax returns or related evidence at trial, see Fed. R. Civ. P. 37(b)(2).

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge